

Appl. No. 10/788,759  
Reply to Office Action of February 22, 2007

### **REMARKS**

Applicants amend claims 1, 7, 14, 26, 33, 44 and 47 without prejudice or disclaimer. Claims 1-16, 19-26, 33-38 and 41-51 (41 total claims; 7 independent claims) remain pending in the application. Reconsideration of the application is respectfully requested in view of the above amendments and the following remarks.

#### **Art-Based Rejections**

##### **Claims 1-6, 7-17, 44-46 and 47-51**

Claims 1-6, 7-17, 44-46 and 47-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,999,783 to Toyryla et al. in view of United States Patent Application Publication No. 2004/0082352 A1 to Keating et al. Applicants have amended independent claims 1, 7, 44 and 47 to clarify the claimed invention and obviate the rejection. In particular, independent claims 1, 7, 44 and 47 state that the method for dynamic group call from a first user to a group of second users includes the steps of forwarding the group to the network for validation, receiving a group identification for the group and establishing a group call between the first user and the group after the group has been validated and receiving the group identification. Applicants have previously described the present invention, the claims and Toyryla and those statements are incorporated into this response. The amendment to the claims makes clear that the calls are established after validation of the group by the network and after receiving the group identifier. In other words, the present invention is directed to dynamic establishment of groups and pre-validation of those groups by the network. This is evident by the claim language that the calls are established after both the validation of the group by the network and the receipt of the group identifier.

Keating is directed to a method, equipment and environment for dynamically controlling a wireless group call and group call participants in a manner that provides and enables accurate billing of each call participant. Keating is cited for the steps of forwarding the group to the network for validation, receiving a group identification for the group and establishing a group call between the first user and the group after the first user receives the group identification. Applicants respectfully submit, however, that Keating does not disclose that the group call is established after validation by the network. Keating's FIG. 2 indicates that the group call is

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initiated in step 30 and that after step 30 group call participant list is sent to the network in step 32. This implies that the group call is established prior to validation, and this is what is avoided by the claims. Paragraph [0011] does not provide any information about when the group call is established relative to the validation to the group by the network and the receiving the group identifier. Paragraph [0020] does not provide any additional information. Thus, these cited paragraphs must be construed to be consistent with FIG. 2 which teaches away from establishing the call after validation and receiving the group identifier.

In view of the foregoing, it is respectfully submitted that the combination of Toyryla and Keating does not disclose, teach or otherwise suggest the steps of the present invention. Applicants therefore respectfully submit that Toyryla does not anticipate claims 1, 7, 44 and 47 and 47. As claims 2-6, 8-17, 45-46 and 48-51 depend upon and include the limitations of claims 1, 7, 44 and 47 respectively, Applicants respectfully submit that the dependent claims are patentable over Toyryla and Keating for the same reason. Applicants request that the rejection under Section 103(a) be withdrawn.

#### Claims 14-16 and 23-25

Claims 14-16 and 23-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Toyryla and further in view of United States Patent No. 6,999,783 to Fister et al. Applicants have amended independent claim 14 to clarify the claimed invention and to obviate the rejection. In particular, Applicants have amended claim 14 to include the step of establishing a group call between the first user and the second users after the dynamic group list is validated and determining whether a dynamic group call identifier is available. Applicants respectfully submit that neither Toyryla nor Fister discloses, teaches nor otherwise suggests the establishing step as required by the claim. In addition, Keating also does not disclose this step as discussed above. In view of the foregoing, it is respectfully submitted that the combination of Toyryla and Fister does not disclose, teach or otherwise suggest the claimed elements. Applicants therefore respectfully submit that independent claim 14 is patentable over the cited combination. As claims 15-16 and 23-25 depend upon and include the limitations of claim 14, Applicants respectfully submit that these dependent claims are patentable for same reasons given above. Applicants request that this rejection under Section 103(a) be withdrawn.

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#### Claims 21-22

Claims 21-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Toyryla and Fister and further in view of United States Patent Application Publication No. 2004/0198376 to Chandhok et al. Applicants respectfully submit Chandhok also does not disclose the limitations that Toyryla and Fister do not disclose. For this reason and as claims 21-22 depend upon claim 14, Applicants respectfully submit that these dependent claims are patentable over the cited combination for the reasons given above. Applicants request that this rejection under Section 103(a) be withdrawn.

#### Claim 26

Claims 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Toyryla in view of United States Patent No. 6,600,928 to Ahya et al. and further in view of Chandhok et al. Applicants have amended claim 26 to clarify the claimed invention and to obviate the rejection. In particular, Applicants have amended claim 26 to include the limitations regarding that the group call is started after the group is validated similar to the amendments to claims 1, 7, 14, 44 and 47. None of the cited references, nor Keating, disclose this step. In view of the foregoing, Applicants respectfully submit that the combination of Toyryla, Ahya and Chandhok does not disclose, teach or otherwise suggest all the claim limitations of claim 26. It is therefore respectfully submitted that claim 26 is patentable over the cited combination. Applicants request that this rejection under Section 103(a) be withdrawn.

#### Claims 33-38 and 41-43

Claims 33-35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Toyryla and Ahya and further in view of Chandhok and claims 36-38 and 41-43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toyryla, Ahya and Chandhok and further in view of United States Patent No. 5,513,381 to Sasuta. Applicants have amended claim 33 to indicate that the network validates the group call identifier and that the group call is initiated after validation. This amendment is similar to the amendments made to the other independent claims and obviates the rejection. None of the cited references, nor Keating, disclose this step. In view

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of the arguments given above, Applicants respectfully submit claim 33 is patentable over the cited combination of Toyryla, Ahya, Chandhok and Sasuta. As claims 34-38 and 41-43 depend upon and include the limitations of independent claim 33, Applicants respectfully submit that these dependent claims are patentable over the cited references. Applicants request that this rejection under Section 103(a) be withdrawn.

### Conclusion

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

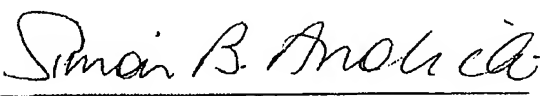
Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,  
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